

# EXHIBIT I

IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF NEW YORK

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SIRI DIAZ, CAROLYN SIEGEL, TALIA BUMB, BLERTA  
VIKKI, DANIELLE OWIMRIN, on behalf of themselves  
and others similarly situated,

Plaintiffs,

-against-

SCORES HOLDING COMPANY, INC.; GO WEST  
ENTERTAINMENT, INC. a/k/a SCORES WEST SIDE, and  
SCORES ENTERTAINMENT, INC., a/k/a SCORES EAST  
SIDE

Defendants.

CIVIL ACTION NO.: 07 Civ. 8718(RMB)

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200 Park Avenue  
New York, New York

January 28, 2008  
10:10 a.m.

DEPOSITION of BLERTA VIKKI, one of  
the Plaintiffs herein, pursuant to Notice,  
before Ronald A. Marx, a Notary Public of the  
State of New York.

ELLEN GRAUER COURT REPORTING CO. LLC  
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New York, New York 10022  
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REF: 86582

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1 VIKKI

2 week. You know, and if you couldn't work, you  
3 just have to call and say -- you know, say to  
4 the manager, "Sorry, I can't come to the work."

5 Q Now, when you say you had to work  
6 five nights, what do you mean by that?

7 A I mean by that was a shift. You  
8 know, we had to work -- I mean, was working  
9 there less than two years, you have to be at  
10 work, because I used to work a lot, some -- like  
11 some years.

12 And I had to work five nights a week,  
13 and it's -- you know, it's a mandatory five  
14 nights a week I had to work.

15 Q What I'm trying to understand is did  
16 you decide you had to work five nights a week --

17 A No.

18 Q -- or did somebody tell you you had  
19 to work five nights?

20 A Somebody told me I have to work five  
21 nights a week.

22 Q Who is it that told you you had to  
23 work five nights a week?

24 A The manager and the house mom. I  
25 mean, she gets manager from the -- whatever.

VIKKI

Q Who was the manager that told you that?

A Robert.

Q Robert?

A Yes.

Q Okay. And when did he tell you this?

A Since beginning when I start.

Q When did you start?

A I start -- I worked there was March '04. February, March. I mean, one of those.

Q Okay. Now, is this something that Robert told you before you started working?

A No. When you start working over there, when you audition and start to work and, you know -- I mean, the house mom or manager is explained to you you have to work -- if you going to get hired, you have to work five nights a week, and this time until that time.

Q I'm trying to understand when this was told to you.

A As soon you start it. First day when I started with Scores.

Q So you had an audition, you said?

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A Yes.

Q And was this told to you before or after the audition?

A After. After I got hired.

Q After you got hired?

A Yes.

Q And was there a specific time you were told to work?

A Yes.

Q What time was that?

A 6:30 I had to be in the dressing room.

Q 6:30 you had to be in the dressing room?

A Yes. By 7 o'clock I had to be on the floor.

Q And when did your shift end?

A 3 o'clock.

Q 3 o'clock in the morning?

A Yes.

Q Now, you said Robert told you this before -- after your audition, but before you started work?

A Yes.

1 VIKKI

2 Q Is that yes?

3 A Yes.

4 Q And did Robert ever discuss when you  
5 had to work or the number of days a week you had  
6 to work after you started working?

7 A What you mean by that? Qualify the  
8 question, please.

9 Q Let me break it down. After -- after  
10 that first conversation you had with him, which  
11 you said took place after your audition, did you  
12 ever have a discussion with Robert again about  
13 how many nights a week you needed to work?

14 A I didn't have discussion like, but  
15 when I was coming -- if I was -- I mean,  
16 sometimes I couldn't work five nights a week,  
17 and I was working three nights.

18 And when I was coming, he would come  
19 after me and say, you know, "You should call.  
20 Don't repeat anymore, you know. I don't want  
21 this to happen anymore. You have to work five  
22 nights since we hire -- we hired you."

23 Q And how many times did you have that  
24 kind of discussion that you just described?

25 A I mean, it was not that many, because

1 VIKKI

2 I was always, you know, on track. I always --

3 Q On track?

4 A I always was on time, and I didn't  
5 want, you know, myself to be in trouble, you  
6 know. But couple of times, you know.

7 Q All right. You also mentioned a  
8 conversation with the house mom. Who was the  
9 house mom?

10 A It's Lisa or Gina.

11 Q Lisa or Gina?

12 A Yes.

13 Q Two different house moms?

14 A Yes.

15 Q What is it that Lisa told you about  
16 how -- how -- when you had to work?

17 A When they hired me, she has -- you  
18 know, she was explaining all the rules of the  
19 club.

20 You have to work five nights a week,  
21 and when you're new you have to work two days a  
22 week Sundays, because there was nobody, you  
23 know, that -- nobody wants to work Sundays.

24 And she just said you have to work  
25 two days a week Sundays, two nights a week



1 VIKKI

2 Sundays for you to, you know -- to try to work  
3 in Scores.

4 Q So this was a conversation you had  
5 with Lisa after your audition?

6 A I mean, you know, the rules of the  
7 club and everything. You know. I mean, how  
8 the --

9 Q Let me just break it down though. I  
10 want to understand.

11 You just described -- was that a  
12 conversation you had with Lisa --

13 A About --

14 Q -- after your audition?

15 A I had -- you know, about everything,  
16 you know. When I was working -- I mean, she has  
17 to explain to me everything, you know, what I  
18 should wear and stuff, you know, about the time,  
19 about, you know, we have to work this kind of  
20 shift. That's what they're looking for.

21 Q Let's just stick to the conversation  
22 about when you needed to work. Okay?

23 And I'm just asking you when that  
24 conversation took place.

25 A Soon I start.

VIKKI

Q After you started, did you have any additional discussions with Lisa about when you had to work?

A No, because she explained to me first time, and that was keeping that kind of shift.

Q Let's talk about Gina then. When did you have any discussions with Gina about when you needed to work?

A She would explain to me same thing that Lisa did because, you know, it's...

Q When did she do that?

A The first time I see her, you know, because she was asking me, "Who hired you?" And she was explaining to me same thing what Lisa, you know, explained to me.

Q Was Gina there when you first started?

A No. She was working different nights a week.

Q Okay. Let me understand. Gina asked you who hired you?

A "Who was over here that hired you?"  
Yes.

Q And what did you say in response to

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exact, you know. And on tips, you know.

Q Plus tips?

A Yes.

Q Were you paid the same way as a waitress and as hostess?

A Yes, because I was getting tips as the hostess.

Q And prior to working at Marathon Grill, where did you work?

A Nowhere.

Q Nowhere?

A Yes. Just came in this country.

Was --

Q Where did you come from?

A Albania.

Q From Albania?

A Yes.

Q Did you work in Albania?

A No. I was in school there.

Q So your first job upon coming to the U.S. was at Marathon Grill?

A Yes.

Q And then your next job was at Scores?

A Correct.

VIKKI

Q Now, did you ever work -- you said you worked at the west side club. Did you ever work at the east side club?

A Yes.

Q When did you do that?

A After nine months I work in the west side I worked in the east side.

Q But you started on the west side?

A Yes.

Q Now, when you started on the east side, did anybody speak to you about what your job would be on the east side?

A They speak with me, the house mom, but it was the same rules.

Q Well, who was the house mom?

A The same house mom.

Q So they were the same house moms on the east and the west side?

A Yes, because the west side got already house moms, you know. They just open up, and then they shared stuff until the west side would get enough staff -- you know, staff to work.

Q So did Lisa or Gina -- was there a

1 VIKKI

2 manager on the east side at that time?

3 A It was the same manager, Robert. In  
4 the east side is the same manager, but he moves  
5 back and forth. He goes to west and east side.

6 That time he was on east side until  
7 the west side could get -- you know. I don't  
8 know. I was working there at that time.

9 Q Did you have to apply for a position  
10 on the east side?

11 A No. I just switched. He said I  
12 didn't have to apply. If I was working Scores,  
13 you can work any Scores.

14 Q Did anyone request that you move to  
15 the east side?

16 A No.

17 Q Did you decide you wanted to move to  
18 the --

19 A Yes. I asked the manager. He said  
20 okay, no problem.

21 Q You asked the manager if you could  
22 work on the east side?

23 A Yes. I asked Robert. I said, "I  
24 want to work here." He said, "That's fine. I'm  
25 going to talk to the managers on the west side."

VIKKI

Q Did you work at any other club besides Scores West and Scores East?

A I worked for a week in Florida because they send us, Miami. I don't know the address, but they paid for us to go there when they opened the club.

Q So where in Miami did you work?

A It was a Scores in Miami. I don't know what it was address, but I remember it was Biscayne -- Biscayne Boulevard.

I don't know -- they paid for us. They paid everything. They sent about 10, 15 girls.

Q Did you work anywhere else other than those three locations you just identified?

A No.

Q How did you learn to be a dancer?

A What you mean? Clarify the question, please?

Q Well, did you consider yourself a dancer when you worked at the club?

A Not really, no.

Q What did you consider yourself to be?

A I was going to school, and I was

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call the manager."

And I got dressed, went downstairs. And, you know, I had to dance one song on the stage.

And after that she say, "Go upstairs. I'm going to come to the dressing room," and she was like, "You hired."

Q Okay. So you got dressed. By the way, which -- which of the house moms was this; do you remember?

A Would be Lisa or Marguerite. I think it was both, because the club just opened. It was -- you know, it was crossing the street together. I really don't remember, but would be one of those.

Q Marguerite?

A Marguerite, yes.

Q So they told you to get dressed in the dressing room?

A Yes. "When you're ready, let me know. We're going to go downstairs. You're going to dance one song on the stage, and you're going to come up after that, upstairs again, and I'm going to go from there."

VIKKI

"If you're hired or not, the manager is going to let me know," you know, and that's what I did. And I -- the manager said, "Okay. She's hired."

Q Who was the manager?

A Was Robert. The manager was Robert. That I'm sure.

Q Okay. Now, when you got dressed in the dressing room, did you have any clothes that you brought?

A Actually I had, but she was like, "You can't wear these clothes. I give you dress for now, and when you get hired you going to buy your own dresses. You have to buy those dresses. We sell you here those kind of dresses," because the circle -- designer or something.

What I should say was you couldn't wear any kind of dresses. You know, they had to be the dresses they accepted.

Q What kind of clothes did you bring?

A I brought, I mean, normal dress. But they don't -- you know, they have to -- had to be more -- I mean, I really don't know -- how



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should I clarify that?

But they had to be -- I mean, the kind of dresses, you know, that was -- that uniform, not -- you know, my dress was too much clothes. Just like regular dress you can go out for dinner. It was not the kind of dress they was looking for.

Q So you had to -- I'm sorry. You said that -- what was -- what was the kind of dress that you needed to wear?

A You can't wear the dress to go out for dinner. That's for sure. And you can't -- I understand pretty good what kind of dress it would be.

If you can't wear the dress to go out what's -- I mean, what kind of dress it have to be? It's pretty much --

Q Well, how did the dress that you had to wear compare to the dress that you brought?

A It's completely two different, you know.

Q I understand that, and I'm asking you, what was the difference between the dress?

A Because my dress was a normal dress.

1 VIKKI

2 It's, you know, normal. You can go anywhere. I  
3 could go out for dinner with my dress.

4 But the dress they had was much -- I  
5 don't know what word I should use for that. It  
6 was, you know, the type of dress they was  
7 looking for, like more open up, you know, to  
8 show off.

9 MR. CAPOBIANCO: I think she  
10 said up and up.

11 A Open up.

12 Q Oh, open up?

13 A Yes. I mean, they know better.

14 Q So aside from the dress, were there  
15 other clothing you put on in the dressing room?

16 A I had to put on the high heels, and  
17 they told me you can't put those high heels,  
18 because this was like closed high heels.

19 You have to be open up high heels,  
20 like -- like a sandle. I had like a -- you  
21 know, like the part of the feet are, there  
22 should not be closed.

23 They have to be open high heel, not  
24 platform or whatever. They had a certain type  
25 of a high heel you had to wear over there.

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Q So you brought your own high heels?

A Yes, but I couldn't wear those, and they give me a pair of high heels when I audition, and then when they hired me I had to buy whatever, you know, there was to the uniform I should buy over there, or I could buy it anywhere, but have to be, you know, for them part of the uniform, you know.

Q What I'm trying to find out is what was the difference between the high heels you brought and the high heels you needed to wear at the club?

A Because my high heels what I brought was not really high heels. It was a high heel, but a normal high heels you can wear every day, what I should say.

And their high heels was like -- you know, was really high heels, and you had to wear like -- I don't know what I should explain.

Like how --

Q You mean they showed more skin?

A Yes. You know, like much -- I don't know how I should explain.

Q Were there any other clothes besides

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the dress and the high heels?

A The underwear.

Q Underwear. What was the issue with the underwear?

A You have to wear the underwear they were selling in the club.

Q What kind of underwear was it?

A What do you mean, what kind of underwear? It was --

Q Did you bring your own underwear when you came to the club?

A Yes. I couldn't wear those either, because they have their own design. You know -- I mean, I don't know.

Q You mean Scores had its own design for underwear?

A Yes. Somebody used to make those.

Q What kind of -- what does it look like?

A It looks --

Q What color was it?

A Every color. Different colors.

Q You could get a lot of different colors?

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A Yes. It's not a matter about color.

Q Did it look like your underwear?

A No.

Q Could you wear that underwear you got from Scores elsewhere?

A Not comfortable, but like personally to me, no. But I don't know if somebody else. I couldn't wear it.

Q But could you wear it?

A I was not -- I don't know, like comfortable. I don't know what I should say. Just not for --

Q You're saying you didn't find that underwear comfortable?

A Yes. I mean, I had to wear those to work over there. I had -- I didn't have any other choice, but outside there I would not wear it.

Q Aside from the underwear, what else? What -- was there anything else you needed to put on in the dressing room?

MS. GREENE: Objection. Are you still referring to the first audition or just in general?

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Q Well, let's talk about the first audition.

A What do you mean, first audition?

Q The audition you had at Scores West.

A It's the same.

Q First time.

A Yes. It's the same thing with the east side. Was same uniform. It's the same.

Q But let me ask you this. You talked about the dress.

A Yes.

Q You talked about the high heels. You talked about the underwear.

A Yes.

Q Was there anything else you needed to wear for your audition?

A No. That's it.

Q Okay. Now you -- and then you said you came down the stairs?

A Yes.

Q And you --

A The house mom.

Q And you went on the stage?

A Yes.

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A Yes.

Q Did you know that you were going to take off -- have to take off your clothes when you went on the stage before you she told you that?

A No.

Q That was the first you knew?

A Yes.

Q And what else did Lisa or Marguerite tell you after she told you you were hired?

A What you mean?

Q Did she tell you when you would start or what time?

A Yes. Oh, yes. She said, you know, "You can start tonight or tomorrow." And she said, "Before you start I'm going to give you audition, you know, about the club, the rules and" -- and I didn't start that night, because I didn't have, you know, the dress with me, and I didn't have the money to pay, because I had to pay for the dress to go to work.

Next day I start. I bought the dress. I bought everything over there before I started to work. She would explain to me all

1 VIKKI

2 the rules, you know, everything about the club.

3 Q Okay. So let me ask you. Where did  
4 you buy the dress?

5 A At Scores.

6 Q You bought it at Scores. Did you  
7 understand that you had to buy it from Scores?

8 A Yes.

9 Q Or did you understand you could buy  
10 it somewhere else?

11 A I had to buy from Scores, because I  
12 couldn't find the dress what they were looking  
13 for anywhere else.

14 Q Did you have the money to buy the  
15 dress?

16 A I took a -- you know, I took it from  
17 my account, I mean.

18 Q So you had the money to buy the  
19 dress?

20 A Yes.

21 Q Okay. And what else did you have to  
22 purchase to work your first night?

23 A You mean what I should pay out, or  
24 what you mean by that?

25 Q Well, what did you have to buy to



1 VIKKI

2 wear?

3 A I had to pay for the dress. I had to  
4 pay for high heels. I had to pay for underwear.  
5 I have to pay for garters.

6 Q Now, is a garter different from the  
7 underwear, or is that the same thing?

8 A No. It's different from underwear.

9 Q So there was underwear and there's a  
10 garter?

11 A Yes.

12 Q Okay. And you bought all of those  
13 things from Scores?

14 A Yes.

15 Q Do you remember how much they were?

16 A I remember dress was \$180. I  
17 remember. The high heels was \$80, and the  
18 underwear was 40, and the garter 20.

19 Q And then once you purchased those  
20 things, did they belong to you?

21 A Yes.

22 Q Were they all new when you purchased  
23 them?

24 A I believe yes. But who knows?

25 Q Now, while you were working at

1 VIKKI

2 Scores, did you have to purchase any other  
3 clothing?

4 A Yes. I couldn't wear -- if I was  
5 wearing the one dress, I would say two weeks  
6 they would come to me and say you have to change  
7 your dress and buy a different dress, and I had  
8 to buy it.

9 Q Who was they?

10 A They? The manager. They come to me  
11 and say, "Blerta, you have to buy a new dress  
12 because you're wearing this dress same -- you  
13 know, every time."

14 Q So how many dresses did you have to  
15 buy?

16 A Probably 20.

17 Q 20 dresses?

18 A Yes.

19 Q And did they all cost about \$180?

20 A Yes.

21 Q Did you buy them all from Scores?

22 A Yes.

23 Q Did you ever look elsewhere for  
24 dresses?

25 A No, because I never -- I looked, but

1 VIKKI

2 I never found right ones, you know, that Scores  
3 would accept it.

4 Q So you looked elsewhere for dresses?

5 A Yes, but I couldn't find the kind  
6 of -- you know, that kind of -- type of dresses.

7 Q And -- I'm sorry. Did you say they  
8 were all \$180?

9 A Yes.

10 Q And the high heels, how many pairs of  
11 high heels did you end up buying?

12 A Be about ten to 15. I mean, maybe  
13 more. I don't remember. It's hard question. I  
14 had to look different. I don't remember.

15 Q Now, where did you purchase the high  
16 heels from?

17 A Scores.

18 Q All from Scores?

19 A (Indicating)

20 Q Did you look anywhere else to  
21 purchase high heels?

22 A No. It was just from Scores.

23 Q Now -- and how many pairs of  
24 underwear did you have to buy?

25 A Plenty. I don't remember how many.

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Q Plenty.

A I bought -- I don't remember. It's a hard question for me, because I don't remember. It's --

Q I'm just asking you to give an estimate based on how many --

A Could be 20 pairs or -- you know, maybe. I mean, I don't...

Q And where did you purchase the underwear from?

A Scores.

Q Did you look anywhere else for underwear?

A No, because I never found those underwears. It was completely new.

Q What about the garters? How many garters did you have?

A Garters, every three days one garter, because always I was losing in Scores.

Q You purchased them all from Scores?

A Yes.

Q So you bought a new garter every three days?

A You know, I was losing them. I would

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forget them. I was in the dressing room or whatever. Next day would be -- I don't know where it is.

Q And you always purchased it from Scores?

A (Indicating)

Q Did you ever look anywhere else for garters?

A No. It's a certain type of garters. I couldn't find anywhere. Like they made their own design, you know. It's --

Q Now, the high heels that you purchased, could you wear those high heels outside of work?

A To me, no, because I'm not comfortable. I would not -- they would not look good. Like personally I'm talking for myself. I don't know for anybody else.

Q They weren't your personal taste in high heels?

A No.

Q But you say somebody else could have worn such a thing?

A Could be. I don't know about

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somebody else.

Q What about the dresses? You said you wouldn't wear those dresses outside?

A Nobody will wear those dresses out.

Q Nobody would wear those dresses?

A No. Completely not.

Q This is New York. Nobody would wear those dresses out?

A Could be New York, but I don't think those dresses would be -- no.

Q You don't think so.

A Yes. Thousand percent, no.

Q Now, why did you ask to go from the west side to the east side?

A Why? I just -- I just want to switch clubs, you know, and -- I don't know. Just feel -- I got -- not tired, but I just felt to switch clubs and just wanted to change, to move.

Q Was there somebody that you wanted to work with?

A No. Not really, but I just -- not feeling, you know, myself there. I just wanted to move, you know.

Q Was it easier for you to get to the

VIKKI

east side club?

A It was easy to get, because I was taking the train, you know, from my house there. It was easy than to the west side. I had to -- you know, it's hard for me in the nighttime to get back home.

Q Okay. Now, let me ask you that. How did you get to -- when you worked on the west side, how did you get there?

A By train and bus.

Q Where did you live? Where were you living when you first started working?

A Brooklyn.

Q Where in Brooklyn?

A Bensonhurst. You want directly the address?

Q What was your address when you first started working there?

A I give you two addresses. I don't remember which. One is 6412 20th Avenue, Brooklyn, New York 11204. I believe it's the zip code.

Q That was 20th Avenue?

A Correct.

VIKKI

Q Did you ever get a ride from anybody?

A No. Like when I was -- the train was not working I had to take a cab. I had to go to work.

And if I would not go, they would have fired me. I called. I said I don't know how I'm going to get, you know. "You have to take cab ride or just take whatever."

Q When you came -- when you worked on the east side, how did you get to work?

A By train. I would take the N train to Lexington and 60th Street, East 60.

Q So it was just one train?

A Yes. And I had to walk two blocks, two -- two or three blocks. Two and a half probably.

Q Now, why did you leave Scores East?

A I got pregnant.

Q And did you decide to quit?

A I told -- I give them notice. I said, "I can't work anymore. I'm pregnant," and that was it, but I have to give them notice, like two weeks or a month.

Q Who did you give notice to?



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2 A To the manager.

3 Q And who was the manager you gave  
4 notice to?

5 A Robert. I give notice to Harvey, one  
6 of the owners.

7 Q You gave notice to Harvey?

8 A Yes. I told him too. I see him once  
9 in the club, and said I told manager -- I mean  
10 Robert too. I said I'm pregnant. I can't work  
11 anymore. That was it.

12 Q When you say you had to give notice,  
13 who told you you had to give notice?

14 A Who told me was the rules. When I  
15 got hired, they told me if you're going to leave  
16 the club or anything, any type of -- if you're  
17 going to move you have to give notice two weeks  
18 to a month ahead.

19 Q Who told you that?

20 A The house mom.

21 Q Who was that?

22 A Was -- I mean, it was both.

23 Marguerite or Lisa. On east side was Lisa. I  
24 mean, when I moved to the east side it was Lisa,  
25 because I asked her when I got pregnant.

1 VIKKI

2 I said, "Lisa, I'm pregnant." She  
3 was saying just tell Robert, you know, two  
4 weeks, or Harvey, and that's what I did. I gave  
5 notice, and I am not working anymore.

6 Q And you told them that you were  
7 pregnant?

8 A Yes.

9 Q Now, what is Harvey's last name?

10 A I don't know.

11 Q But you knew him as one of the  
12 owners?

13 A I believe, yes. Yes. He -- that's  
14 how you pretend yourself. That's how he  
15 pretend. He was one of the owners. I don't  
16 know.

17 That's -- I mean, everybody -- you  
18 know, even when we had to do our meetings, he  
19 was one of the owners. I don't know.

20 Q When you say you had to do  
21 meetings --

22 A When there was a meeting in dressing  
23 room, like every other week or every four days  
24 or something, you had to -- all the girls  
25 together in the dressing room. Like some

VIKKI

things, whatever they had to do meeting. I don't -- you know.

Q Okay. Now, how frequent were these meetings?

A Once a week or twice a week or once in two weeks. Depends whatever they had to say something to the girls or whatever they had to talk to us. They would do meetings in the dressing room.

Q Who -- who spoke during these meetings?

A Sometimes it would be the manager and Harvey, one of the owners, and wherever -- sometimes was different people.

I don't remember. I don't talk for such. I mean, whatever they had to talk about. I don't remember.

Q Do you remember any of the issues that were discussed at these meetings?

A I remember the issue had to sell bottles all the time, about the VIP rooms. They were going after us.

You have to -- you know, they go each -- after each girl. "You went for this

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kind of hours. If you going to go one more time, if you're going to continue that, and don't sell bottles, that's how we make the money. You have to push to sell bottles." And this was more particular meeting. More going after.

Q You were talking about the VIP rooms.

A Yes.

Q What's that?

A VIP room is -- that's a room. And you -- it's for an hour. And you have to dance. It's a private room.

Q You danced in the private room?

A Yes.

Q And who decided or how was it determined how much you would get paid to dance in the private room?

A The Scores would decide. I would get \$500 and plus the room, whatever the room was, 1,500, 1,200.

I don't know. Was some money. You know, it was -- different rooms was different prices, or I don't remember how the rooms were.

Q You're talking about the room price?

1 VIKKI

2 A Yes. I mean, I don't know about the  
3 room prices, how they going to -- you know, how  
4 they charge, but was about 12 to 1,500 or a  
5 thousand. I don't know how they -- about the  
6 room. I know I will make 500.

7 Q You knew you would make \$500 to go  
8 into a room?

9 A Yes.

10 Q Always?

11 A Always \$500. Yes.

12 Q Could you negotiate more or less?

13 A No, because I would be in trouble and  
14 was not part of the -- no.

15 Q That was for one hour?

16 A Yes.

17 Q When you say you would be in trouble,  
18 what makes you think you would be in trouble?

19 A Because if I was saying, you know,  
20 for more, was -- you know, they would go after  
21 me and say, "You know what? You're fired. Why  
22 you ask the customer for more money?"

23 Q Who is they? Who was --

24 A The staff. Whatever. The host could  
25 be -- you know, was so many people over there,

1 VIKKI

2 the host, because I want to talk to them," and  
3 for a price and stuff.

4 Q So what is it that the host would  
5 explain to the customer?

6 A They would explain the room and how  
7 much would be the room.

8 Q The room cost?

9 A Yes.

10 Q Okay. What else?

11 A How much I will get.

12 Q How much for you?

13 A Yes, and that's it.

14 Q And what did you say about tip-out?

15 A Tip-out. I mean, the customer would  
16 get two checks, one for the room and one -- I  
17 mean, one for the room money and one for, you  
18 know, my money.

19 I mean, you know, like two separate  
20 checks. One is 1,100 or 1,200 or 1,500,  
21 whatever it goes to cost the room.

22 He has to sign two checks. If he's  
23 going to pay by credit card, because always he  
24 had sign two checks. One for room and one for  
25 like the money I will get. And...

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Q All right. So you're saying there were two checks.

You mean the person -- he put it on his credit card?

A Yes.

Q The customer would put it on his credit card, and he had to sign twice?

A Yes.

Q And you understood one signing was for the room and one was for your fee?

A Yes.

Q And did the host tell the customer how much your fee was?

A Yes. 500 for the girl and whatever it was for the room. It's -- price is -- depends which room, you know. There was some different rooms. That's why.

Q And what did you mean by tip-out?

A By tip-out?

Q Yes.

A What I mean -- I mean I have to pay the house fee with 180.

Q The house fee was 180?

A Yes.

VIKKI

Q Is that every day?

A Exact.

Q Okay.

A You have to pay the DJ. If I was -- if I was -- you know, he will put me off the stage if I had to now go -- if I didn't want to go on stage, I had to pay \$100, and if I was going -- you know, if I was going on stage I had to pay 40, but it was never 40, because if I was giving 40 he would put me more. If I had to go ten times he put me 20 times. It would be 60 or 80 or whatever.

Q You're talking about the DJ?

A I mean, you say tip-out, what I should tip out the entire night which -- I mean --

Q All right. We can go into that later. Let me just go back to the private room situation, okay?

You mentioned the tip-out at the private room.

Was there a separate tip-out in connection with the private room?

A The tip-out -- end of -- the



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private -- when the room -- I mean, when hour is finished I had to tip the host.

He was getting tip from customer, and I had to tip him. You know, if I will not tip him, you know, they come to me, "Where's my tip?" Or --

Q So did you decide how much to give the host?

A It's pretty much ten percent. I have to tip them. Like figure 60, \$80.

Q Now, in addition to the money that the customer puts on the credit card for your fee, did the customer also give you money in the room?

A No. The customer would tip me when he signs the \$500. He will tip me right off there.

Like if the room is 500, or is ten percent -- is ten-percent surcharge, whatever it costs.

He can pay by credit card. If they pay funny money, it's 500, but the charge is 600 on credit card, because it's ten-percent fee.

I don't know how that works for

VIKKI

Scores. I mean, when he signs my money, it's 600 on the credit card, but comes out to 500, because they keep ten percent.

Q What happens to that 500?

A I take the 500, but when he tips me -- I mean, he sign for 500, and he will say, "I give you \$100 tip or 200 or \$50," whatever he wants to tip me. I never get that tip. Host gets the tip, but I never understood why is that.

Q The host would get the tip?

A Yes.

Q You mean on the credit card he would put additional tip?

A For me, and I would -- I never got the tip. Almost three years I work over there, I never got a penny.

Q You got the \$500?

A Yes.

Q And how did you get the \$500?

A Funny money.

Q It was in funny money?

A Yes.

Q So that was all you received from the

VIKKI

customer?

A Yes.

Q Was the funny money?

A Yes.

Q Did you receive it all at once?

A Yes.

Q They would hand it to you before you had to dance in the room?

A No. You would start dancing, and he would come with the funny money. The host will come with the funny money after 10, 15 minutes, 20 minutes, 30 minutes, but he will come.

Q The host would come into the room?

A Yes.

Q During -- while you were dancing --

A Yes.

Q -- the host would come into the room?

A Yes.

Q So you would get \$500 in funny money?

A Yes.

Q Did some customers give you money over and above that money?

A (Indicating)

Q Did --

1 VIKKI

2 A No, because the customers always tip  
3 me by credit card to the -- you know, and I  
4 never got that money. They never give it to me.

5 You know, not me, but to all the  
6 girls, you know. And I never asked. But he was  
7 saying, "I left your tip," and if I would say,  
8 you know, to the customers I don't get the tip,  
9 you know, I would get a large trouble.

10 If I was asking, you know, if he tip  
11 with credit card where's my tip, I get in  
12 trouble, like forget it. And always -- I  
13 never -- I never asked them.

14 Q Okay. Let me go to the issue of the  
15 house fee.

16 Was the house fee always the same  
17 amount of money?

18 A It was 180.

19 Q Always 180?

20 A Saturdays was, I believe, 160 or 140.  
21 I don't remember. Because I --

22 Q Saturdays was less?

23 A Yes -- no. Sundays. I'm sorry.  
24 Sundays was something -- I don't remember. It's  
25 been awhile for me I didn't work over there, and

VIKKI

it's changed, you know.

Q Let me ask you this. Was the house fee always the same amount of money?

A I mean, six days a week was -- no. I'm sorry. Mondays was 160. And rest of the days and Sunday was same thing.

Monday or Sundays was probably 140, 160. Sometimes was -- Sunday was a little busy. I couldn't afford it.

I will pay probably \$80, because -- I mean, I couldn't, you know. I'm going minus, only I had to work those days. I was...

Q When did you pay the house fee?

A To the house mom.

Q When though?

A When? End of the night.

Q The end of the night you paid the house fee?

A Yes. I couldn't leave if I was not paying the house fee. I had to pay.

Q Could you pay the house fee in funny money?

A Yes.

Q Did you typically pay it with funny

1 VIKKI

2 money?

3 A Half and half. Whatever, you know.  
4 Sometimes, you know, I didn't have funny money  
5 and will pay cash, and I would go home with  
6 zero. Depends on the night.

7 Or maybe I cashed funny money and I  
8 think maybe I'm going to take -- I'm going to  
9 make funny money later.

10 I never did it. Was never busy, and  
11 I had to pay with my money, the money I made the  
12 night before.

13 Q So you could end up with less money  
14 than you started with?

15 A Oh, yeah. Of course.

16 Q So you could actually loose money by  
17 working a whole shift?

18 A Not one time. Some of the times.

19 Q Excuse me?

20 A It's -- yes. So many times that  
21 happened.

22 Q That happened several times?

23 A Yes. Like sometimes -- I mean, I  
24 will go to the manager. I will say I can't -- I  
25 can't pay. I'm not going to pay 180.

VIKKI

Q So the DJ also would sign the receipt book?

A Yes.

Q Okay. And you would put down how much you paid the DJ?

A Correct.

Q And what would you write down for the --

A DJ I write down.

Q Just DJ?

A Yes.

Q Is there anyone else you had sign your receipt book besides the house mom and the DJ?

A The makeup artist, the house mom tip.

Q Let's start with the makeup artist.

A Yes.

Q Who was the makeup artist?

A It's Kasha or Jennifer.

Q Kasha?

A Yes. Or Jennifer.

Q Is this at Scores East?

A Yes.

Q And what did Kasha or Jennifer do for

1 VIKKI

2 you?

3 A Jennifer and Kasha, they makeup  
4 artist. They will do my makeup.

5 Q So when you arrived at the club, you  
6 didn't have any makeup on?

7 A No. I would do makeup over there.

8 Q You did it at the club?

9 A Yes.

10 Q You did it yourself or they did it  
11 for you?

12 A If I would do it myself, I could do  
13 it. I could use makeup or my makeup. You know,  
14 they would help me if I didn't have something,  
15 and if I was just not feeling to do the makeup  
16 they do it for me, and I would pay them.

17 Q But could you decide to do your  
18 makeup on your own?

19 A Yes.

20 Q And not pay the makeup artist?

21 A Yes. But you to tip them anyway.

22 Q You had to tip them whether you used  
23 them or not?

24 A Yes. If I was doing my own makeup,  
25 you have to tip them \$20. And if they going to



VIKKI

do that for me I would tip them -- it was 40  
makeup.

Q Now, who is it -- who -- did anyone  
ever tell you that you had to tip them --

A Yes.

Q -- whether or not you used them?

A Yes. First day I start, that's what  
I explained to tip. You know, they saying tip  
the makeup artist. You have to tip the DJ. You  
have to tip the house mom. You have to tip  
each.

Q So you had to pay the house fee to  
the house mom, and you had to pay the house mom  
a tip?

A Yes.

Q And how much tip did you give the  
house mom?

A It was mandatory \$5, but I had always  
to give it to her \$20, because --

Q It was mandatory \$5?

A \$5. But, you know, she would do a  
lot of stuff, you know, for us, and I would give  
her 20.

She was nice. If I need something,

VIKKI

she would help us. She -- I would give her 20, sometimes 40. Depends, you know.

Q What is it the house mom would do for you?

A You know, she would help. I mean, it's some things. If we had headaches or -- you know, she would get -- I mean, you know, if we needed something. Different ways, you know, but it helps.

Or if I have something to sew, you know, like a dress or a -- she will help me, you know.

Or if I had to buy, you know, something, you know, she will give it to me. If I had to buy a garter, that's what I have to -- you know, from the house mom.

Q She would sell you things?

A Yes.

Q Okay.

A She would bring us, you know, like candies or like desserts, you know, when I had a break. I mean, she was nice.

Q Now, did you ever have a problem with the dress, like it needed some mending or sewing

VIKKI

Q How big was the locker?

A Was not big. Was just a little locker. I would -- like a gym locker.

Q How many dresses could you fit in a locker?

A Four. Three, four. If I would want stay nice, I only keep one or two, but...

Q Now, when you left Scores East, did you take all of the stuff out of your locker?

A Yes.

Q So you still have your dresses?

A Yes.

Q So you said it was a mandatory \$5 tip to the house mom?

A Right.

Q And who informed you of that mandatory tip?

A It was rules of the club.

Q Who told you that?

A The house mom. She would say, "It's \$5 mandatory to makeup artist, and \$5 mandatory to me," to the house mom. That's for house mom. And she would say, "It's \$40 for DJ. If you want to keep off the stage it's a hundred

VIKKI

dollars." She would say if you --

Q I missed what you said. You said the DJ was \$40?

A \$40. If don't know want to go -- if you --

Q On the stage?

A If you go on stage it's \$40. If you don't want to keep on the stage it's a hundred dollars.

And if you on stage, it doesn't matter. If you go all night on the stage -- I mean, in the end, when you going to go home, if you go to the VIP room for two hours, you still have to pay him \$100.

Doesn't matter if you -- if you went all night long on the stage. You go more than two hours, two hours is enough. He needs -- you have to pay him a hundred dollars.

Q You paid him less if you went on the stage?

A 40. I will pay him 60 because, you know -- I would say I will -- he was -- I mean, that's how he works for tips.

Q Now -- so you would tip the DJ?

VIKKI

A Yes.

Q Now, did you ever tip the DJ to play certain music that you wanted played?

A Sometimes, yes. Because he was saying, "I don't have that song," you know. He will play that kind of trick, and I would say, "All right. I'm going to tip you at the end. I'll give you \$20."

Q And then he would have the music?

A Yes.

Q Or did you bring your own music?

A No. I never bring my own music. He had, you know.

MR. CAPOBIANCO: I'd like to have this marked as Vikki Exhibit 1.

(Vikki Exhibit 1, application, was marked for identification, as of this date.)

Q Now, Ms. Vikki, when you first went to Scores to apply for the job, did you fill out any paperwork at that time?

A I don't remember. I remember on east side, but I don't remember.

Q Now, this document that we marked as

VIKKI

Vikki Exhibit 1, is this in your handwriting?

A This one, yes.

Q Yes. And this address here, 928 59th Street, was that one of your addresses?

A Yes. It's one of -- I used to live with my aunt a long time. I just see I remember. Since when I moved to New York, the first address I had.

Q So this was the address you had when you first moved to New York?

A Yes.

Q Okay.

A I'm sorry. I didn't -- I didn't remember this address. It's been awhile.

Q How long did you live at that address?

A About a month.

Q One month. So do you think -- was this the application you filled out when you first started?

A Because I put this address, because my aunt were not moving anywhere. That's why I put the address.

You know, it was like anything I

1 VIKKI

2 A You couldn't work.

3 Q You put your real name on this  
4 document, didn't you?

5 A Yes, because it's a document. You  
6 know, I have to say, you know, but you can't --  
7 you know, couldn't use your real name. Like to  
8 work over there you had to have a stage name.

9 Q Okay. So does it mean that when you  
10 spoke with fellow dancers they knew you as  
11 Marissa?

12 A Yes.

13 Q Or was it a name that you were  
14 supposed to use when a customer asked you your  
15 name?

16 A Correct. Or if they would call me on  
17 stage, I had to use Marissa. In Scores they  
18 have to call me Marissa, not my real name.

19 Q That's what everyone called you?

20 A Correct.

21 Q Okay. Did you have any friends when  
22 you worked at Scores?

23 A Friends like a worker? Yeah. We  
24 would say, "Hi. How are you?"

25 Q But I mean, did you ever tell anyone

1 VIKKI

2 what your real name was?

3 A (Indicating)

4 Q Even those friends called you  
5 Marissa?

6 A Marissa.

7 Q Did you have any friends that you saw  
8 outside of work?

9 A I was not hanging out too much. I  
10 was working. You know, I had work and home.

11 Q Did you ever go out with friends,  
12 anybody from work after work?

13 A No.

14 Q Never went anywhere in the  
15 neighborhood for a bite to eat or anything?

16 A No.

17 Q You went straight home?

18 A Correct.

19 Q Now, did you work any specific days  
20 of the week?

21 A I worked six days a week.

22 Q You worked six days a week?

23 A Correct.

24 Q When was that?

25 A Almost two years and a half, almost



VIKKI

three years.

Q You worked six days a week every week?

A Yes. Except two times I took vacation, probably two weeks.

Q You took vacation two times for two weeks?

A About there.

Q Now, did you decide you wanted to work six days?

A Actually you know, they was decide five days a week, but sometimes like example, if they did not have enough girls for Monday or Wednesday or whatever, you know, if I want to take it, they would say, "Could you please come to work," you know -- or Wednesday was happy hours five to seven.

They open the bar five o'clock, and house mom say, "Can you please, Marissa, come to work? Be here 4:30." "Yeah. Okay."

Q So the house mom called you Marissa?

A Yes.

Q So the house mom would ask you if could work a certain day?

1 VIKKI

2 A The manager will ask me.

3 Q The manager, not the house mom?

4 A No. The house mom will ask me, but  
5 the manager, Robert, will say "Marissa, please,"  
6 or in the beginning when I started you have to  
7 work. I mean --

8 Q Then later on it became please?

9 A Yes. "Please can you?" I mean -- I  
10 will say no, I can't work. He said no. They  
11 would start, you know.

12 They will say why I do -- I mean,  
13 "You know, you have to work. You have to help  
14 me," you know.

15 Q Did you ever tell him no, you  
16 couldn't work, you had something else planned?

17 A Because -- I mean, I told him couple  
18 of times, and they said, "We need the girls for  
19 this kind of shift."

20 If you not working for four, five  
21 years, you know, like you couldn't say like I'm  
22 a new girl.

23 I was working there almost, you know,  
24 three years and a half, two years. And would  
25 say okay, you know. I didn't want to. They

1 VIKKI

2 host?

3 A Correct.

4 Q Okay. So for two hours you could  
5 make a thousand dollars minus 120?

6 A Correct.

7 Q So then couldn't you have evenings  
8 where you made more than a thousand dollars?

9 A Because after two hours you going to  
10 be in the a VIP room, you're going to dance for  
11 two hours.

12 I will not have any more energy to  
13 stay on high heels to go to the floor. I would  
14 be tired, to stay in dressing room until 3 a.m..  
15 Time will come I go home.

16 Q So you could just sit in the dressing  
17 room and not go out on the floor?

18 A I will go on the floor. You know,  
19 I'll go, but sometimes, you know, it's just --  
20 customers said, you know, it's -- I don't want  
21 it, you know.

22 I don't want, I mean, to dance or I  
23 just want to look or just sit, whatever. It's  
24 not like you're going to make -- you can make  
25 probably a hundred more of that, but not very

VIKKI

often.

MS. GREENE: Could you read  
that last question and answer,  
please?

(The requested portion was read  
back)

Q Let me ask you this. Could you  
decide when you wanted to take a break in the  
dressing room?

A I could decide to go for five minutes  
or ten minutes, and if I was taking for longer,  
the manager will come, everbody outside the  
dressing room on the floor.

And, you know, I had to go on the  
floor, so I had to ask. You know, I have  
customer, but if he don't want to get a dance, I  
couldn't do anything.

I just sitting in the bar, and  
wherever new customer will come, you know, I'll  
go ask again, or after ten minutes I will say,  
"You ready now?" Or "Would you like?"

But I couldn't stay for entire  
dressing room. Nobody will let me. Like I will  
come -- you have to go on the floor. It's

VIKKI

not -- you know, you can't stay there.

Q Now, at the end of the evening you would have some cash and you would have some diamond dollars?

A Yes.

Q Did you have to -- did anyone record how much cash you made?

A What you mean? I don't understand the question.

Q Well, did anyone ever ask you how much cash you made that evening and was -- did someone write it down on a piece of paper?

MS. GREENE: Objection.

Q Do you understand the question?

A I don't understand what you mean by that.

Q Okay. So the end of the evening comes. You have some cash and you have some diamond dollars, right?

A (Indicating)

Q Do you have any other thing of value besides cash and diamond dollars?

A First of all, I mean, I will make probably \$40 in cash, and 95 percent was diamond

VIKKI

dollars.

Q 95 percent was diamond dollars?

A Yes. If I have cash at the end of the night, it be will be probably cash I took with me in case for -- you know, for my money.

I mean, I took -- I always have -- was taking cash with me. If anything happened, I have to have cash with me, because whatever I was cashing in the funny money, I will not get cash.

I get checks and, you know, how I knew I was getting cash the shift I was working, I had to have cash with me.

Q Okay. So you say you may have brought your own cash?

A Yes.

Q But aside from the cash you brought yourself, you could get tipped cash by customers?

A It would be five percent.

Q A small amount, but you could still have cash?

A Yes.

Q My question is, from the cash that

1 VIKKI

2 A I had to go to the office, you know.

3 Q To the office?

4 A Yes. And there was a time between  
5 nine to ten or seven to nine. I don't remember.  
6 You know, between seven or eight to ten,  
7 whatever, you know, wherever they would make a  
8 DJ -- the DJ would make a call, like they doing  
9 diamond dollars.

10 But that was between, I could say,  
11 7:30 to 10:00 or depends. You know, like not  
12 more than 10:00, 10:30 to be, but always the DJ  
13 will say the funny money now. They're doing  
14 funny money.

15 Q And the DJ would make that  
16 announcement. You could go down to the office?

17 A Yes.

18 Q Where was the office?

19 A It was -- soon as you walked to the  
20 club, and it's on the right. Right before you  
21 go to the restrooms.

22 Q And so you go to the -- you would go  
23 to the office and you would do what? Give --

24 A I would wait on the line. I would  
25 say one by one. And I would give the diamond

VIKKI

dollars, and he will give a check, and the check will be cashed after two weeks.

Q Would you get a check right there?

A Yes.

Q Would you get a check right then and there?

A Yes.

Q And so you've given the diamond dollars and then you'd get a check.

Did you have to sign a piece of paper?

A Correct. Yes. I have to. I had to.

Q So if you turned in a thousand dollars in diamond dollars, how much would the check be for?

A It's -- they keep -- I mean, it was ten percent. They keep ten percent. They put in -- I mean, after awhile, they took 20 percent.

You know, they had -- if I -- you know, they'll keep 20 percent. They change it back to ten percent, but between ten and 20 percent they'll keep for the funny money.

Q So it went to 20 percent for awhile?



VIKKI

A Yes.

Q This is on the east side?

A Both clubs. It was -- when I was working on the east side some -- you know, then maybe it was about three or four months they were charging 20 percent, 20 percent, and then went back to 10 percent.

Q So you go with the diamond dollars. You give in, let's say, a thousand dollars in diamond dollars.

You get back a check right away that's made payable to you?

A Yes.

Q It has your name on it?

A Yes.

Q It doesn't say Marissa?

A No.

Q It has your name on it?

A Correct.

Q Does it have an address on it?

A No. I don't remember. No. The date.

Q Was there any taxes taken out of the check?

1 VIKKI

2 A I had to pay and -- but it was ten  
3 percent. I told you what they had to.

4 Q No. I understand the ten percent.  
5 I'm asking you if there were any taxes deducted  
6 from the check.

7 If you put in a thousand dollars, how  
8 much would the check be for?

9 A They could keep 10 percent or  
10 20 percent, whatever, you know, and I'll get the  
11 rest. End of year I would pay the taxes, 1099,  
12 but not, you know...

13 Q They didn't deduct the taxes while  
14 you were working there?

15 A No.

16 Q Okay. So every day that you worked  
17 you would cash in the diamond dollars and get a  
18 check?

19 A If I had it, you know. I mean,  
20 whatever I had, yes. Or some -- you know,  
21 sometimes it was holiday. The banks was not  
22 open. We couldn't cash the money, funny money.  
23 We were working, but couldn't cash it.

24 Q No. I'm not talking about the  
25 diamond dollars.

1 VIKKI

2 after 4 a.m. in the morning.

3 Q They always did it anyway?

4 A Yes.

5 Q But you understood that the rule was  
6 that you couldn't serve alcohol after 4 o'clock  
7 in the morning?

8 A Yes.

9 Q Now, did you understand that --  
10 that -- look at Number 5 here.

11 If you had -- if any customer made  
12 any improper physical or verbal advance to you,  
13 that you were supposed to report that to Scores  
14 management?

15 A I don't understand this question.  
16 What you mean? Can you clarify it, please?

17 Q Let me read Number 5.

18 A I can read Number 5, but it's too  
19 complicated. I don't understand clearly the  
20 question.

21 Q You can read Number 5, but you don't  
22 understand my question?

23 A I mean, it's too complicated. You  
24 know, like I -- I don't...

25 Q Well, let me just read for the record

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Number 5.

"While working at Scores, I am to immediately report to Scores management any improper verbal or physical advance or suggestion of any kind made to me by either a customer or staff member."

When you were working at Scores, did anyone make an improper physical advance to you?

A Physical advance. What --

Q Did they touch you inappropriately?

A No.

Q -- customer? Never had that occur?

A No.

Q By a customer or a staff member?

A No. I will not let them, you know. With a staff I will keep, you know, the distance.

Just say hi, bye, and the customer no. I was -- you know, the rules. He will not touch me.

Q Did you understand that there were rules that Scores imposed on the customers?

A Yes.

Q Okay. Did you understand that if

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some customer violated those rules, you could report them to the manager or to some member of management?

A Yes. I will do.

Q Did you ever report a customer to a member of management?

A Yes.

Q Why?

A I mean, sometimes, you know, they will be like, "Oh, no. I'm not looking for a dance, "or, you know -- I mean, probably was drunk, you know.

Q What -- what was it that you were reporting to management?

A You know, he was like probably like more he wanted touch more, like more aggressive, I should say.

And I will leave the room. I will not report. I will report and leave the room. That's it.

Q Leave the private room?

A Yes. I not going back. I don't care who was. Maybe, you know, because some of the customers they be regulars over there, and host

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accept, you know, like they have their own girl, you know, if the customer is coming there for ten years, but I will not accept that. No. I will just leave the room, not get my money and not go back, period.

Q Okay.

A And I -- you know, couple of times that's what I did. I left the room, and that is it.

Q Let's look at Number A -- well, first of all, above A it says, "I confirm that I am an independent contractor and not an employee of Scores."

Is that something you understood when you worked for Scores, that you were an independent contractor?

A No.

Q You didn't understand that?

A No.

Q Did you think you were an employee?

A Yes.

Q And did you say that to them?

A Yes.

Q And who did you say that to?

1 VIKKI

2 A I said it to everybody.

3 Q Everybody?

4 A I said to house mom. I said to the  
5 manager. If I'm an employee -- if I'm  
6 independent contractor, why -- you know, like  
7 what I will say, for example, like even when you  
8 go to the VIP room, you can't -- why you have  
9 to -- I have to go and sell the bottles,  
10 champagne or whatever.

11 If I'm an independent contractor, I  
12 pay the house fee, and I will do whatever, you  
13 know, because I don't want to drink. I don't  
14 want to get drunk.

15 Why I have to down the champagne in  
16 front of the customers? You know, if you don't  
17 want to buy, you don't want to buy, you know. I  
18 mean, it's -- you know, if I was independent or  
19 if I was not, you know.

20 Q Did you get a fee for selling a  
21 bottle in the VIP room?

22 A No. And if I would not sell a  
23 bottle, they will come after me. "This is not  
24 nice, not working properly. You have to -- you  
25 know, that's how we make our money, you know.

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That's why you work here."

I mean, I don't feel drinking, and sometimes I did pour, you know, the champagne or the bottle of vodka, whatever drink he'll get.

You know, I will pour in the bucket, whatever, but he would see. Sometimes he would say, "Oh, cheers. Let's drink this shot."

You know, I don't want to drink. I don't want to get drunk, because that's not why I'm going over there.

You drink a glass of wine, but you can't drink two bottles of wine or you can't drink three bottles of champagne. You cannot, or is a drink I don't like it.

Or if the customer says, "No, I don't want to pay for champagne, you stick out with a pen and paper. No. He don't want. We push. "No, you have to pay."

You have to say -- go outside. The host will call out, say no, you have to sell it. You have to sell it.

Q Let's look at Number A. It says, "I have the right to perform services for others during the term of this agreement, and will not



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be required to devote my full time to providing these services to Scores."

Did you understand that you were permitted to work for other clubs at the same time you were working for Scores?

A What you mean by that? I was permitted to work for other --

Q That you were permitted to also dance or be an entertainer at other clubs besides Scores while you were working for Scores.

A No. I couldn't work for the other clubs.

Q You didn't -- you couldn't work?

A No.

Q Why not?

A Because will not let me. If they going to find out, they will fire me.

Q Who told you that?

A Who told me that? Was a part of the -- that was explained the first day I sat with one of the -- you know, the house mom told me, "You can't work for no other club. If they find out you're going to get fired."

Q The next one says, "I will not

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receive any employee benefits, such as employee pension plan, employee health plan, vacation pay, sick pay or any other fringe benefit plan that may be offered by Scores to its actual employees." Was that true?

A I don't understand that question.

Q Well, did you receive any employee benefits while you worked for Scores?

A I don't remember.

Q Well, for example, when you went on vacation, did you get vacation pay?

A No.

Q Number C says, "I will pay all my own business expenses that I incur while performed under this independent entertainer agreement."

Did you pay your business expenses when you worked for Scores?

MS. GREENE: Objection.

A I don't understand that question. Clarify the question, please?

Q Well, if you purchased dresses, did you -- did you pay for the cost of the dress?

A Of course, yes.

Q When you took the bus, who paid the

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giving written notice of termination with or without cause."

Did you understand that you could quit at any time or they could let you go at any time, with or without notice?

A No. It's not true.

Q It's not true. Why not?

A Because you can't quit. I'm just going to quit because if -- you know, what I would say.

If you just not -- if you're going to quit, at least -- like example this. I work tonight. I don't want to work anymore. I have a thousand funny money with me, right?

And if I not going tomorrow, after tomorrow they going to call me, you know. Because they never going to cash the money for me.

And that money is -- you know, that's why I have to let them know, you know. I can't work. Like two weeks in advance.

Q Now, when you resigned, did you have to put something in writing?

A What you mean by that?

1 VIKKI

2 Q You said you were resigning. You  
3 quit because you were -- you were pregnant. You  
4 told them you quit.

5 A Yes.

6 Q Did you have to sign -- put anything  
7 in writing, saying "I resign" or --

8 A I give it -- yes. I put the letter.  
9 Like I give it to the -- in the office. I don't  
10 remember exactly.

11 Q You did write a letter?

12 A Yes.

13 Q Saying you were leaving?

14 A Yes.

15 Q Did you keep a copy of that letter?

16 A I nevet got copy. I don't have a  
17 copy.

18 Q Now, did anybody at Scores West or  
19 Scores East ever provide you with any training?

20 A What you mean, training?

21 Q Well, did they show you how to do  
22 your job?

23 A I took -- to teach me, you mean?

24 Q Yes.

25 A No, but, you know, like -- I'm sorry.

1 VIKKI

2 In beginning when I start working over there, I  
3 was uncomfortable to take my dress off, and they  
4 would scream at me, "You have to take the dress  
5 off, you know, or we'll fire you," you know.

6 Q But did they know how to do it?

7 A Yeah. I mean, they will show me.  
8 Nobody danced for me. I can see, but they were  
9 saying to me, "Look at this girl what she do.  
10 That is what you should do."

11 Q So they pointed to somebody else as  
12 an example?

13 A "See what she does? That's what you  
14 should do. Take the dress off, you know. This  
15 is a topless, you know."

16 Q Did you ever get a handbook from  
17 Scores East or Scores West?

18 A What you mean by handbook?

19 Q A booklet.

20 A Regarding what?

21 Q Regarding house rules or suggestions  
22 for how you can make more money or anything like  
23 that.

24 A No. They would explain to us by  
25 speaking, but no.

1 VIKKI

2 Q Now, did you ever wear your dress to  
3 or from Scores?

4 The dress you had to wear while you  
5 were working there, did you ever come to work  
6 wearing that dress?

7 A No.

8 Q Did you ever have to carry a dress  
9 with you?

10 A What you mean, carry?

11 Q Bring it from home.

12 A Yes, because I had to wash it, and if  
13 I -- I wear that dress, you know, I have to wash  
14 it and iron it or dry clean, and I have to bring  
15 it.

16 Q So you just carried it on the subway?

17 A Oh, no. I put it in a bag.

18 Q No. You put it in a bag, but then  
19 you carried the bag on the subway?

20 A Yes. You couldn't carry even, you  
21 know.

22 Q So you never left Scores East or West  
23 wearing the dress?

24 A Absolutely not.

25 Q You changed in the changing room?

1 VIKKI

2 A Yes.

3 Q Dressing room?

4 A It was not to wear outside.

5 Q Excuse me?

6 A Those dresses completely -- you  
7 couldn't wear the dress even -- no.

8 Q Well, did anyone tell you that you  
9 weren't allowed to wear that dress outside?

10 A Nobody. I mean, I don't remember,  
11 but I would not wear it.

12 Q You mean for your own personal  
13 reasons you wouldn't wear that dress anywhere  
14 else?

15 A Yes. It -- I don't remember if they  
16 tell me or -- told me or not, but I would not  
17 wear it.

18 Not me, but none of the girls would  
19 not wear it. It was just not to wear like  
20 dinner dress or, you know.

21 MR. CAPOBIANCO: I'd like to  
22 have this marked as Vikki 3.

23 (Vikki Exhibit 3, application  
24 for entertainers, was marked for  
25 identification, as of this date.)

1 VIKKI

2 Q Now, is this document in your  
3 handwriting?

4 A Yes.

5 Q I see the second page doesn't appear  
6 to be filled out.

7 Do you remember starting to fill out  
8 an application and never finishing it?

9 A I don't remember.

10 Q This entertainer number at the top, G  
11 0001, was that ever your ID number?

12 A I don't remember.

13 Q Well, the other application we looked  
14 at said G 00117.

15 Do you remember either of these  
16 numbers?

17 A I don't remember this one. I don't  
18 remember. I don't know.

19 Q Well, do you remember 117?

20 A 117 I do remember, but I don't  
21 remember that. That one probably was something  
22 GO, but I don't remember, you know. It's been  
23 awhile.

24 Q Okay.

25 MR. CAPOBIANCO: I'd like to



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may only charge \$20 for a dance?

A Yes.

Q Okay. And that if you charged more than that you'll get fired?

A House mom will tell you that, too. Even Robert or house mom, you know. First day it starts, she explains no negotiation. Don't -- you know, it's \$20. You know, everything, all the -- what you should do.

Q Well, you said it was \$20 for a dance, but it was \$500 for a room?

A Yes.

Q And the house mom told you that that was not negotiable?

A No -- yes. I mean is not --

Q I'm sorry.

A Okay.

Q Which house mom is it that said this to you?

A It's both Lisa or Gina. Both working for club, and both had the same rooms.

Q They both told you that you couldn't negotiate a different amount for a dance?

A No.

VIKKI

Q Or for the room?

A No.

Q I mean, they told you that?

A Yes.

Q When was this?

A When they asked -- the day they hired me. And, you know, she explained to me everything.

Q Now, it's your understanding that you received this \$20 as a fee for the dance?

A I received those \$20 per dance.

Q Okay. And now, do you ever receive cash for a dance?

A Sometimes. But not that very often. Maybe five percent.

Q Do customers ever give you -- did they ever give you more than \$20 for a dance?

A No.

Q Never?

A No.

Q How long is the dance?

A One song.

Q One song.

A Or maybe a little bit more because --

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one song.

Q I mean, if a customer wanted you to dance for another song, could you do that?

A Yes.

Q Did that ever happen?

A Sometimes. But not very often.

Q Now, did you understand that when you received the \$20 as diamond dollars, that that was worth \$18 to you?

A Yes.

Q That you understood?

A Because it's -- yes. It's -- since I start I was going ten percent, 20 percent that would get from the funny money, and I do understand that.

Q So at the time you actually received the diamond dollars, the \$20 in diamond dollars, you knew that you would only be getting \$18 in U.S. currency for that?

A Yes. I believe, yes.

Q Now, the money you received for doing dances or going into the VIP room, that was money you received from the customers of Scores, right?

VIKKI

A As I'm saying, Robert. He was the GM, because this was not his fault, but that's how the club rules, you know, that people.

Q Now, how many times did Robert ever come over to you and say they needed you right now to dance on the stage?

A Many times.

Q Many times?

A Yes.

Q Well, how many -- how many times a year did that happen?

A I don't know exactly, but happen a lot of times.

Q How many?

A I don't remember like how many.

Q Can you give me an estimate of how many times it happened during the time you worked there?

Did it happen once or ten times or a hundred times?

A 50 times probably.

Q 50 times you were told you had to dance?

A Yes.

1 VIKKI

2 Q On the stage?

3 A Yeah.

4 Q Nobody wanted to dance on the stage?

5 MS. GREENE: Objection.

6 Q Do you understand that question?

7 A No. I don't understand the question.

8 Q Did -- was it -- was dancing on stage  
9 something that a lot of the dancers didn't want  
10 to do?

11 A Because a lot of the dancer probably  
12 it was busy, and I really don't know, and we had  
13 to go even if -- I don't know how they work over  
14 there. Honestly I don't know. I don't know. I  
15 never understood. I don't know.

16 Q You never understood what?

17 A How the stage works. Probably -- I  
18 don't know. It's very difficult to explain, but  
19 if I was not going on the stage it would be a  
20 big problem.

21 Q Did you ever refuse to go on the  
22 stage?

23 A Yes. I did a couple of times. I  
24 never -- I went. You know, I start -- got -- I  
25 said what I said, and they said, "I'm sorry.

VIKKI

Stage."

Q You mean you tried to refuse, and they said go on the stage anyway?

A Yes.

Q Who did that? Who did you try to refuse to?

A Try to refuse to the DJ. I said, "I'm not going. Don't call me." I said, "I'm paying you enough."

The house mom came and managers came, and I went to the dressing room. I said, "I'm paying him. I don't know, you know."

They said like, "But I don't have any girls to put on stage. You have to go." And I'm like explaining like why it have to be me.

Q You said that to whom?

A To the house mom, to the manager, to the DJ, two or three of them.

Q All three of them you said "Why does it have to be me?"

A Yes.

Q What did they say?

A "I'm sorry. It's all you."

Q It's all you?

VIKKI

A Yes. "All you to come to the stage. Just you. Stage is yours now." You know, had to.

Q Now, do you know -- did you know any of the bartenders when you worked there?

A I know by face, but not by names.

Q Did you ever discuss how the diamond dollars worked for the bartenders?

A No.

Q No. So do you know if they ever even received diamond dollars, the bartenders?

A No.

Q What about the cocktail waitresses? Do you know if they received diamond dollars?

A I don't know.

Q And do you know, if they did receive diamond dollars, how it worked for them?

A I don't know.

Q Did you ever have to buy any clothes for a theme night?

A Yes.

Q What was the theme night?

A It was Christmas, Halloween, Super Bowl, Valentine's Day.

VIKKI

Q You worked all four of those days?

A We start the week or two weeks early for those. Days will come.

Q Tell me the days again? Christmas, Halloween --

A Super Bowl.

Q Super Bowl.

A And Valentine's Day. We start two weeks or ten days or week and a half until the day will come.

Q What did you have to buy for Christmas?

A Like a Santa Claus like outfit. Like lingerie. Lingerie. Like --

Q Lingerie?

A Lingerie.

Q Santa Claus lingerie?

A Yes. I can't -- I don't know how to actually explain to you, but lingerie.

Q You bought Santa Claus lingerie from where?

A Scores.

Q How much did that cost?

A It was 100, a 120, 80, depending.



VIKKI

Depends which lingerie I like. I don't remember.

Q Did you buy it every Christmas?

A Yes. Of course. Yes.

Q You bought one outfit or more than one outfit?

A I bought about three.

Q Three Christmas outfits?

A Yes, because you can't wear every day same outfit. You have to change.

Q What did you wear for Halloween?

A I don't remember. But I think -- I was -- I don't remember. I really don't remember. I bought couple of costumes, three or four costumes, but I can't remember what it was.

Q What about for Valentine's Day?

A Would be lingerie.

Q Any specific kind of lingerie?

A I bought it in Scores. I mean, specifically I bought it over there. Whatever, you know, they sell I bought it. I don't know how to explain the specific.

Q Well, it -- were -- any of the lingerie you had for Christmas, could you use

1 VIKKI  
2 those for Valentine's Day?

3 A No.

4 Q No?

5 A Had to be different type. Different.

6 Q How many Valentine's Day outfits did  
7 you buy?

8 A You would buy three, because, you  
9 know, we would start ten days or two weeks or a  
10 week. You can't wear -- you have to change it.

11 Q And what did you have to wear for the  
12 Super Bowl?

13 A Like a -- what do you call them?  
14 Like whatever T -- like T-shirt. Like, you  
15 know, I should say, like a type of shirt but  
16 not -- that goes up.

17 Have to be -- have to be open and,  
18 you know, enough to go -- I mean, you -- like  
19 your Jersey team or Philadelphia. Depends.  
20 Would be a Super Bowl shirt.

21 Q You mean a football shirt?

22 A Yes.

23 Q And did you have to buy one of those?

24 A I don't remember that. I don't know.  
25 I don't remember.

VIKKI

Q Well, were you able to use these special outfits from one year and the next year?

A Possibly, but no. You know, no. I always -- every year I bought -- I worked over there I got new outfits every time when those days will come up.

Q Now, did you ever buy any dresses at Scores that cost \$40?

A \$40. I never remember that, no. No.

Q What was the least you paid for a dress at Scores?

A The minimum I believe -- I'm not sure. Hundred dollars, because I remember once was a hundred dollars, because it was like on sale.

Q So it's -- what was the most you paid for a dress?

A 180.

Q 180. Now, did you ever not show up for one of your scheduled shifts?

A No. I came sometimes late couple of times because the trains, you know. And I got in trouble.

They were saying to me, "Next time if

1 VIKKI

2 you do you're going to -- you know, we'll  
3 suspend you," and -- but --

4 Q Before we talk about lateness, let me  
5 talk about -- did you ever have a shift you were  
6 supposed to go for and you never went to it?

7 A No. I -- always I was on. I  
8 never -- I always show up.

9 Q You never called in sick?

10 A No. What I remember, it's no.

11 Q You never called in sick or had some  
12 type of personal emergency that --

13 A I will go sick to work, and when they  
14 see me I was sick. You know, I still try to  
15 work.

16 If you can't work you go home, and  
17 after that I had to deal for my house fee. But  
18 "See, I told you I can't work." Those kind  
19 of...

20 Q Well, did you ever have a personal  
21 emergency or something that caused you not to be  
22 able to go into work?

23 A I don't remember.

24 Q Now, when you said you got in trouble  
25 for being late, who spoke to you about your